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Attorneys for Defendant
Deutsche Bank Securities Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LOUISIANA PACIFIC CORPORATION,

Plaintiff,

vs.

MONEY MARKET 1 INSTITUTIONAL
INVESTMENT DEALER; MERRILL
LYNCH & CO., INC.; MERRILL
LYNCH, PIERCE, FENNER & SMITH
INCORPORATED; AND DEUTSCHE
BANK SECURITIES INC.,

Defendants.

Case No. CV09-03529-JSW

Reassigned to the Honorable Jeffrey S. White –
Courtroom 11

Complaint filed: July 31, 2009

**STIPULATION AND ~~PROPOSED~~ ORDER
GRANTING LEAVE TO EXCEED PAGE
LIMITS ESTABLISHED BY THE COURT'S
CIVIL STANDING ORDERS AND
SETTING BRIEFING SCHEDULE AND
HEARING DATE FOR MOTIONS TO
DISMISS**

1 Plaintiff Louisiana Pacific Corporation (“Plaintiff”) and Defendants Money Market 1
 2 Institutional Investment Dealer (“MM1”) and Deutsche Bank Securities Inc. (“DBSI”)
 3 (collectively, “Defendants”), by and through their respective counsel of record, hereby stipulate
 4 as follows:

5 WHEREAS, Plaintiff filed a First Amended Complaint (“FAC”), asserting 13 causes of
 6 action, on March 8, 2010;

7 WHEREAS, the Court issued its order denying DBSI’s motion to transfer venue pursuant
 8 to 28 U.S.C. § 1404(a) on March 22, 2010;

9 WHEREAS, the parties previously stipulated and the Court ordered that if DBSI’s motion
 10 to transfer was denied, the Defendants would have 30 days after such order was entered to answer
 11 or otherwise respond to Plaintiff’s operative pleading, if any defendant filed a motion to dismiss,
 12 Plaintiff would serve its opposition within 45 days after service of any such motion to dismiss,
 13 and Defendants would have 30 days to serve any reply;

14 WHEREAS, the FAC asserts federal securities fraud, California securities fraud, and
 15 common law fraud claims against Defendants and breach of fiduciary duty and negligent
 16 misrepresentation claims against MM1 in connection with auction-rate securities (“ARS”) –
 17 financial instruments that pay interest at rates set at periodic auctions;

18 WHEREAS, the FAC alleges over the course of 237 paragraphs and 79 pages that
 19 Defendants engaged in a comprehensive scheme to defraud Plaintiff in violation of Section 10(b)
 20 of the Securities Exchange Act of 1934 and Rule 10b-5, that Defendants violated Sections 25500,
 21 25501 and 25504.1 of the California Corporate Securities Law of 1968, that Defendants
 22 committed common law fraud and that MM1 made negligent misrepresentations and breached its
 23 fiduciary duties to Plaintiff;

24 WHEREAS, the FAC contains allegations concerning 14 different securities purchased by
 25 Plaintiff and alleges that defendant DBSI’s wrongful conduct involved eight different securities
 26 underwritten by it and that defendant MM1’s wrongful conduct involved those same eight
 27 different securities plus an additional six different securities underwritten by the Merrill Lynch
 28 defendants;

1 WHEREAS, the parties agree that the FAC's scope and complexity warrant a modest
 2 increase in the page limits imposed by this Court's Civil Standing Orders for Defendants'
 3 opening briefs and Plaintiff's opposition on Defendants' motion to dismiss, but that the page limit
 4 for Defendants' reply briefs shall remain 15 pages (exclusive of title pages, indices of cases, table
 5 of contents, exhibits, and summaries of argument); and

6 WHEREAS, Plaintiff and MM1 agree to extend the deadline for MM1's filing of its
 7 motion to dismiss by two days from April 21, 2010 to April 23, 2010 to accommodate the
 8 calendar of counsel for MM1, and note that no prior extensions or changes have been made to
 9 MM1's deadline to respond to the FAC;

10 IT IS THEREFORE STIPULATED AND AGREED, by and between Plaintiff and
 11 Defendants, acting through their respective counsel, subject to this Court's approval, as follows:

12 1. DBSI shall file its opening papers in support of its motions to dismiss on or before
 13 April 21, 2010, Plaintiff shall file its opposition papers on or before June 7, 2010, and DBSI shall
 14 file its reply papers on or before July 7, 2010;

15 2. MM1 shall file its opening papers in support of its motions to dismiss on or before
 16 April 23, 2010, Plaintiff shall file its opposition papers on or before June 7, 2010, and MM1 shall
 17 file its reply papers on or before July 7, 2010

18 3. The hearing date for Defendants' motions to dismiss shall be August 27, 2010 at
 19 9:00 a.m.

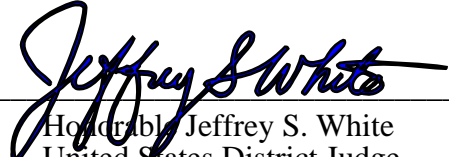
20 4. Defendant DBSI's memorandum of law in support of its motion to dismiss shall
 21 not exceed ³⁰~~35~~ pages in length (exclusive of title pages, indices of cases, table of contents,
 22 exhibits, and summaries of argument);

23 5. Defendant MM1's memorandum of law in support of its motion to dismiss shall
 24 not exceed ³⁵~~40~~ pages in length (exclusive of title pages, indices of cases, table of contents,
 25 exhibits, and summaries of argument);

26 6. Plaintiff's memorandum of law in opposition to DBSI's motion to dismiss shall
 27 not exceed ³⁰~~35~~ pages (exclusive of title pages, indices of cases, table of contents, exhibits, and
 28 summaries of argument); and

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 8, 2010


Honorable Jeffrey S. White
United States District Judge